

Chapter 1753. Definitions

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Sec. 1753-1. General Meaning of Words and Terms

- A. For purposes of the Cincinnati Land Development Code, words and phrases defined in this chapter have the meanings ascribed to them; additional definitions may be in particular chapters of the Code.
- B. Any word or term not specifically defined or described in this chapter shall have their commonly accepted and ordinary meaning.

Sec. 1753-2. Defined Terms



~~1980 Inventory of Hamilton County Soils. "1980 Inventory of Hamilton County Soils" means the report prepared by the Ohio Department of Natural Resources Division of Lands and Soil in conjunction with the Soil Conservation Service of the U.S. Department of Agriculture. This study may be used to evaluate the impact and feasibility of development.~~

A

Abutting or Adjoining. "Abutting" or "adjoining" means having district boundaries or lot lines in common.

~~**Accessory Dwelling.** "Accessory dwelling" means an auxiliary dwelling unit located within an accessory structure of a primary dwelling unit on the lot. Includes, but is not limited to, dwelling units in guest houses, pool houses and carriage houses, above or beside a garage.~~

Accessory Structure. "Accessory structure" means a structure physically detached from, secondary and incidental to, and commonly associated with a primary structure and/or use on the same site.

Accessory Use. "Accessory use" means a use or structure subordinate, customarily incidental and exclusive to the principal use of a building or land and located on the same lot as the principal building or use except as otherwise specified.

Addition. "Addition" means the enlargement of an improvement accomplished by appending a new improvement.

Adjacent. "Adjacent" means sharing a common lot line, or having lot lines separated only by an alley.

Adversely Affected Person. "Adversely Affected Person" means the applicant, property owner, or any other person, organization, association, entity, or city official who has appeared before the Historic Conservation Board personally, by representative, or in writing on a matter affecting such party, or who has attended a pre-hearing conference on a matter affecting such party.

Airport. "Airport" see "Transportation, Airport".

Alley. "Alley" means a public or private way less than 21 feet in width that may provide vehicular access to abutting properties.

Alteration. "Alteration" means a change in either the supporting members of a building, such as bearing walls, columns, beams and girders or in the dimensions or configuration of the roof or exterior walls.

Ambulance Services. "Ambulance services" means administrative facilities for emergency medical care, including the provision of transportation services and the maintenance of vehicles. Includes blood and organ banks.

Animal Services. "Animal services" means the boarding, grooming or medical care for small animals for no more than 30 days. This classification does not include dog walking and similar pet care services that are not carried out at a fixed location.

Antenna. "Antenna" means a system of poles, panels, rods or similar devices used for the transmission or reception of radio frequency signals.

~~**Apiary.** "Apiary" means a a man-made structure which anchors a colony or colonies of bees through the accommodation of a beehive or beehives. For the purposes of the LDC, bees are limited to the honey bee, or genus known as apis mellifera.~~

Architectural Element. "Architectural element" means a prominent or significant part or detail of a building, structure or site.

Architectural Features. "Architectural features" means exterior building elements intended to provide ornamentation to the building massing including, but not limited to: eaves, cornices, bay windows, window and door surrounds, and balconies.

Area of Special Flood Hazard. "Area of special flood hazard" means the area in the flood plain subject to a 1% or greater chance of flooding in any given year. Specifically, for the purposes of this Manual, the area shown in the Flood Insurance Study referenced in Cincinnati Municipal Code Section 1109-05 and kept on file by the Director.

Arterial Street. "Arterial street" means a roadway primarily for through traffic, usually on a continuous route not having access control. This term includes both principal arterial and minor arterial streets as classified by the Department of Transportation and Engineering.

Assisted Living. "Assisted living" means an institution, residence or facility licensed by the State of Ohio that provides accommodation and personal assistance to more than three residents who are dependent on the services of others by reason of age and physical or mental impairment, but that is not licensed to provide skilled nursing care.

~~**Assurance of Completion.** "Assurance of completion" means a contract secured by a bond in an amount and with surety satisfactory to the City Manager guaranteeing completion of public improvements which are shown on the Subdivision Improvement Plan as the responsibility of the sub-divider.~~

~~**Attached Single-Family Dwelling.** "Attached single-family dwelling" means a dwelling unit that is attached to one or more dwelling units, each with independent~~

~~exterior access and each with no less than two exterior walls. Attached single-family dwellings include cluster housing.~~

Automated Teller Machine (ATM). "Automated Teller Machine (ATM)" means an electronic device used by the public for conducting financial transactions such as withdrawing or depositing cash from a bank, savings, credit union, credit card or similar account wherein the customer operates the device independently.

Automobile Holding Facility. "Automobile holding facility" means a building or ground area used for the parking of vehicles needing mechanical, body or chassis repair being vehicles not owned by the person who towed the vehicle or the person who will make the repairs and not involving the removing of parts, accessories, equipment or sections or portions thereof for sale to others or the keeping, buying or selling of junked, wrecked, scrapped, ruined or dismantled motor vehicles.

Awning. An "Awning" is an architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid skeleton structure over which a covering is attached. An awning may be fixed or of a type that can be retracted, folded or collapsed.

B

~~**BMP.** "BMP" see Best Management Practice.~~

~~**Balcony.** "Balcony" means an exterior floor system projecting from a structure and supported by that structure, with no additional independent supports.~~

Bank. "Bank" means the land area bordering the stream channel equivalent to the width delimited by the ordinary high water mark.

Bank and Financial Services. "Bank" and "financial services" means an establishment that provides retail banking, credit and mortgage, or insurance services to individuals and businesses. This classification includes banks and savings and loan establishments, brokerage

firms, check cashing and currency exchange outlets and stand-alone automated teller machines. This does not include payday loan/alternative financial establishments.

Barge Terminal. "Barge terminal" means facilities for launching, mooring, docking, loading, unloading and servicing river barges, including backup land for storage and transshipment.

Base Flood. "Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1 percent chance annual flood (Cincinnati Municipal Code Section 1109-01).

Base Flood Elevation. "Base flood elevation" means the water surface elevation of the Base Flood in relation to either the National Geodetic Vertical Datum of 1929 expressed in Feet Mean Sea Level or the North American Vertical Datum of 1988 expressed in U.S. Survey Feet (Cincinnati Municipal Code Section 1109-01) and measured on or immediately adjacent to the Development.

Basement. "Basement" means the portion of a building below or immediately above grade and not used for habitation, except that in any building a basement may be used for habitation if one wall of the basement is entirely above ground and each dwelling unit in the basement abuts that wall for at least 12 feet.

Bed and Breakfast. "Bed and breakfast" means an establishment licensed, pursuant to Chapter 855 of the Municipal Code, of no more than five guest rooms providing lodging and meal accommodations to paying guests and a maximum stay of no more than four consecutive weeks. Kitchen facilities are not provided for use by guests.

Berm. "Berm" means a mound or embankment of earth, together with necessary retaining structures, if required.

~~**Best Management Practices (BMP).** "Best Management Practices" means those schedules of activities, prohibitions of practices, maintenance procedures and other management practices (both structural and non-structural) to prevent or reduce the pollution of surface waters of the state. BMPs also~~

~~include treatment requirements, operating procedures and practices to control plant and/or construction site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.~~

Bicycle Parking Space. "Bicycle Parking Space" means an area of no less than 2 feet in width by 6 feet in length provided for securing a bicycle to a bicycle rack, bicycle locker, or similar system for securing a bicycle.

Block Face. "Block face" means the properties abutting each other on one side of the street, and lying between the two nearest intersection or intercepting streets.

Boat and Ship Yard. "Boat and ship yard" means a facility for construction of recreational marine craft in enclosed structures, boat storage, boat repair yards and ship yards for the construction, repairing and servicing of commercial vessels including tug boats, barges and ferries.

Breezeway. "Breezeway" means a roofed, passageway connecting two structures, an example is a passageway between a house and a garage.

Brow. "Brow" means a brow of the hill that is the separator between the hilltop that is level or gently sloping and the hillside that is steeply sloped.

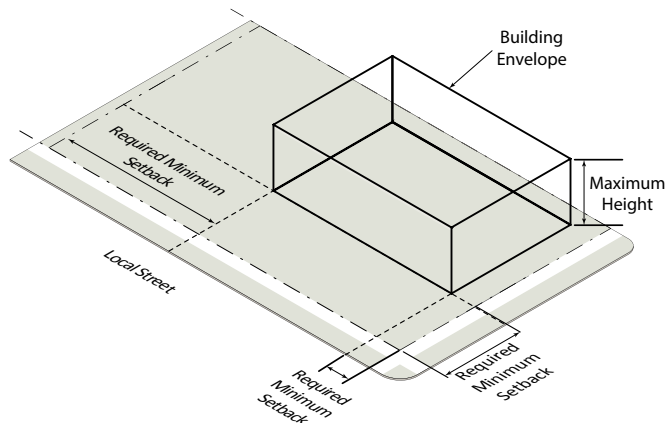
Buffer Yard. "Buffer yard" means an open space, landscaped area, fence, wall, berm or any combination thereof used to physically separate potentially incompatible land uses on adjoining lots. ~~(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004; a. Ord. No. 297-2009, § 4, eff. Dec. 12, 2009; a. Ord. No. 156-2010, § 6, eff. June 12, 2010)~~

Building. "Building" means a structure permanently fixed to the ground consisting of floors, walls and roofs that completely surround an interior space and may include exterior appurtenant structures such as porches or decks.

Buildable Area. "Buildable area" means the area in which a building may be constructed.

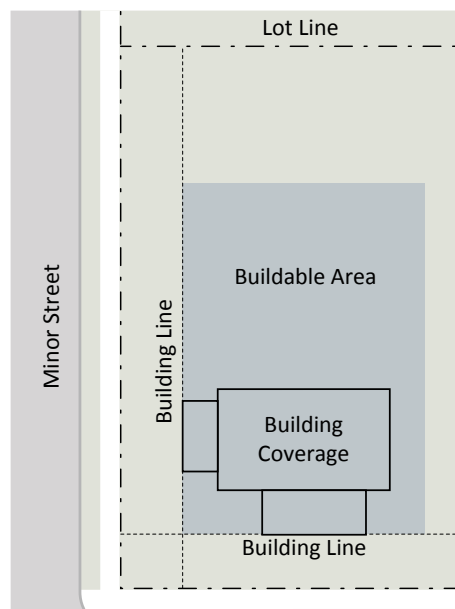
Building Entrance. "Building entrance" means a point of pedestrian ingress and egress to a building.

Building Envelope. "Building envelope" means the volume of space for which a principal building could be extended in compliance with the minimum setbacks and the maximum allowable building height.



Building Form. "Building form" means the overall shape and dimensions of a building.

Building Line. "Building line" means a line parallel to the street right-of-way line at any story level of a building and representing the distance that all or any part of the building is set back from the right-of-way line.



Building Maintenance Service. "Building maintenance service" means an establishment providing carpet cleaning, carpentry, roofing, exterminator, glazing,

janitorial services, electrical repair, plumbing, heating and air conditioning, upholstery, painting and paper hanging and sign painting or packing and crating.

Building Materials Sales and Service. "Building materials sales and service" means retailing, wholesaling or rental of building supplies or construction equipment. This classification includes lumberyards, home improvement sales and services, tool and equipment sales or rental establishments. (Note: establishments that operate from a warehouse are classified separately).

Building Signs. "Building signs" means Any sign that is fastened, attached, connected, or supported in whole or in part by a building or architectural feature.

Building Site. "Building Site" means the portion of a lot on which a principal building could be erected in compliance with the yard requirements of the Zoning Code.

Building Type. "Building type" means a building defined by its combination of configuration, disposition and function. A list of building types is set forth in [Sec. 1705-2](#).

Build-to Line (BTL). "Build-to Line" means a line parallel to a lot line or right-of-way line where a building facade must be placed.

C

Canopy. A "Canopy" is an architectural projection that provides weather protection, identity or decoration. It is supported by the building to which it is attached or by not less than one stanchion support at the outer end. A canopy is comprised of a rigid structure over which a covering is attached.

Car Wash. "Car wash" means the washing, waxing or cleaning of automobiles or similar light vehicles.

Cemetery. "Cemetery" means a burial ground for the interment of the human dead, including columbaria and mausoleums, but excluding crematories or mortuaries classified as Undertaking, funeral and interment services.

Ceiling Height, Ground Floor. "Ground floor ceiling height" means the height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms and storage spaces.

Ceiling Height. "Ceiling height" means the height from finished floor to finished ceiling of primary rooms on a floor above the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms and storage spaces.

Certificate of Appropriateness. "Certificate of Appropriateness" means a certificate issued by the Historic Conservation Board or Urban Conservator, as applicable, indicating that a proposed alteration or demolition is in accordance with the provisions of this chapter

Chamfered Corner. "Chamfered corner " means the intersection of three walls that creates a beveled edge rather than a 90 degree corner.

Changeable Copy Sign. "Changeable copy sign " means a variable message sign composed of individual letters panel mounted in or on a track system.

Charrette. "Charrette" means a multi-day collaborative design and planning workshop that includes all affected stakeholders with an interest in the matter at hand.

Cincinnati Hillside Development Guidelines. "Cincinnati Hillside Development Guidelines" means the guidelines prepared in 1975 by the Cincinnati Institute for the City Planning Commission which are adopted as an appendix to this chapter. These guidelines are for the evaluation of proposed projects within adopted Hillside Overlay Districts.

~~**Circular Drive.** "Circular drive" means a curvilinear driveway that leads to a building entrance, having two entrance and exit points, allowing a vehicle to travel in a continuous forward motion.~~

Civic. "Civic" means a term defining not-for-profit organizations that are dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

Civic Building. "Civic building" means a structure operated by governmental organizations and limited to civic and related uses.

Civic Space. "Civic space" means an outdoor area dedicated to civic activities.

Clean Water Act. "Clean Water Act" means the federal law entitled the Federal Water Pollution Control Amendments of 1972 and codified at 33 U.S.C. §1251 et seq.

Club or Lodge. "Club" and "lodge" mean a meeting, recreational, or social facility of a private or nonprofit organization or public institution primarily for use by members or guests including residential accommodations that are available to members or guests on a temporary basis but excluding residential hotels. This classification includes union halls and social clubs.

~~**Collector Street.** "Collector street" means a street that serves as a traffic way for a neighborhood or a feeder to an arterial street.~~

College, Public or Private. "Public or private college" means an institution of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes business and computer schools, management training, technical and trade schools, but excludes personal instructional services.

Collocation. "Collocation" means that more than one wireless communications provider mounts equipment on a single support structure.

Colluvium. "Colluvium" means soil material, rock fragments or both, moved by creep, slide or local wash deposited on or at the base of hillside slopes.

Commercial. "Commercial" means a term defining service and retail uses collectively.

Commercial and Industrial Machinery and Equipment Rental and Leasing. "Commercial and Industrial Machinery and Equipment Rental and Leasing Establishments" mean businesses primarily

engaged in renting or leasing machinery and equipment for use in business or industrial operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or store-front facility. Examples including the leasing of heavy equipment, office furniture or equipment, or off-highway transportation equipment.

Commercial Meeting Facility. "Commercial meeting facility" means a facility used for assemblies or meetings of the members or representatives of a group, such as convention centers and banquet halls. This classification does not include clubs, lodges or other meeting facilities of private or non-profit groups that are primarily used by group members.

Commercial Pier and Port. "Commercial pier" and "commercial port" mean a facility for launching, mooring, docking and servicing commercial watercraft, ferry boats and excursion boats, including passenger terminals and berthing areas, storage, employee or passenger parking, administrative functions, etc.

Commercial Vehicle. "Commercial vehicle" means any motorized vehicle other than one used for non-commercial personal or family transportation, recreation, van pooling or ride sharing. Commercial vehicles include commercial trucks, buses, buses used as recreational vehicles, commercial vans, tractors, semi-trailers, motorized farm vehicles, earth moving equipment and construction equipment.

Commissary. "Commissary" means a small shop selling food, dairy, drug and other household or convenience items including video rental.

Common Area. "Common area" means a portion of a residential development reserved for the exclusive use of the persons who reside in a dwelling unit within the development, and their guests.

~~**Common Courtyard.** "Common courtyard" means an entry court, forecourt or courtyard shared by multiple residential units or commercial spaces.~~

Communications Facility. "Communications facility" means broadcasting and other communication services accomplished through electronic mechanisms. This

classification includes radio, television or recording studios, switching centers and cable transmitting stations.

~~**Communications-Related Equipment.**~~

~~"Communications-related equipment" means equipment ancillary to the transmissions and reception of voice and data via radio frequencies.~~

Community Correctional Facility. "Community correctional facility" means a facility comprised of one or more buildings designed for total occupancy by no more than 150 persons who live under criminal justice supervision and constraint while receiving therapy and counseling under alternatives to imprisonment, including, but not limited to, pre-release, work-release and probationary programs.

Community Garden. "Community Garden" means a site operated and maintained by an individual or group to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for the following uses: personal use, consumption, donation or off site sale of items grown on the site.

Community Learning Center. "Community learning Center" means a community campus designed to provide integrated educational, recreational, health, and civic services to the populations of the community in which the campus is located.

Community Residential Center: See "[Halfway House.](#)"

Community Service Facility. "Community service facility" means a noncommercial facility established primarily for the benefit and service of the populations of the communities in which they are located, such as YMCA or YWCA facilities, boys and girls clubs and offices of community councils, non-profit civic, religious, welfare or philanthropic organizations.

Composting Facility. "Composting facility" means a facility where organic matter that is derived primarily from off-site material (such as yard or garden waste) is transformed into soil or fertilizer by biological decomposition. Activities may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of compost.

Conditional Use. "Conditional use" means a use generally compatible with other uses in a zoning district. The use requires individual review of its location, design, configuration and density and intensity and may require imposition of conditions to ensure the appropriateness of the use at a particular location.

Congregate Housing. Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services and other support services appropriate for the residents.

Construction. "Construction" means the addition or removal, whether in whole or in part, of making an improvement to a lot, building or structure.

Consumer Goods Rental/General Rental Centers. "Consumer goods rental/general rental centers" are establishments primarily engaged in renting personal, household-type or recreational goods such as consumer electronics, appliances, formal wear, furniture, bicycles, canoes, motorcycles, and sailboats. These establishments often operate from a retail-like or store-front facility.

Contractor Storage. "Contractor storage" means a yard for storage of building, construction, or landscaping materials or equipment.

Convenience Store. "Convenience store" means establishments that retail a limited line of goods that generally include milk, bread, soda and snacks. Convenient stores may or may not include fuel sales. Automotive repair is also ~~allowed~~ **permitted** if it is specifically listed as a permitted use in the applicable zoning district.

Convents and Monasteries. "Convents and monasteries" means group dwellings for members of religious orders.

Corner Entry. "Corner entry" means an entrance located on the corner of a building.

Corner Lot. See "Lot, Corner".

Correctional Institution. "Correctional institution" means a facility where persons are detained pending adjudication or confined under sentences of two

years or less provided that the facility is operated by a Hamilton County law enforcement agency or under contract with the Board of County Commissioners of Hamilton County. Includes community correctional facilities, correctional facilities or juvenile detention facilities.

Courtyard. "Courtyard" means an uncovered area that is completely or partially enclosed by walls or buildings.

Courier and Messenger Services. "Courier and messenger services are Establishments primarily engaged in providing air, surface, or combined mode courier services, express delivery services of parcels, or local messenger and delivery services of small items, with local pick-up and delivery. Examples include air courier services, express delivery services; local delivery services for letters, documents, or small parcels; grocery delivery services (i.e., independent service from grocery store), or restaurant meals delivery services.

Covenant. "Covenant" means a legal agreement between the property owner and the City of Cincinnati concerning the use of land and compliance with the Cincinnati Zoning Code binding on the owner and the owner's successors and assigns.

Craft Brewery, Winery, or Distillery. "Craft Brewery, Winery, or Distillery" means an establishment where beer, malt beverages or spirits are made on the premises and then sold or distributed, and which produces less than 15,000 barrels (~465,000 gallons) per year. The brewer may sell to a retailer or directly to a customer.

Crawl Space. "Crawl space" means a shallow unfinished uninhabitable space beneath the floor or directly under the roof of a building that provides access to utility, structural and other building components not readily accessible from the habitable portions of the building.

~~**Crosswalkway.** "Crosswalkway" means a right-of-way used primarily for pedestrian travel through or across any portion of a block.~~

~~**Cul-De-Sac.** Cul-De-Sac means a short, minor street, having but one end open for motor traffic, the other being permanently terminated by a vehicular turnaround.~~

Cultural Institution. "Cultural institution" means a nonprofit institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance and events, museums, historical sites, art galleries, libraries, aquariums and observatories.

D

Data Processing, Hosting and Related Services.

"Data processing, hosting and related services" is a facility equipped with or connected to one or more computers, used for processing, transmitting or hosting of data.

Day Care Center. "Day care center" means an establishment, other than a Day Care Home, licensed by the State of Ohio when required and providing care and supervision for seven or more persons on a less than 24-hour basis. This classification includes nursery schools, preschools, day care centers for children or adults and any other day care facility licensed by the State of Ohio.

Day Care Home - Adult. "Day care home - adult" means a day care facility located in a permanent residence where an occupant of the residence provides care and supervision for three or fewer adults at one time with no outside employees.

Day Care Home - Type A. "Day care home - Type A" means a child care facility located in a permanent residence where an occupant of the residence provides care and supervision for seven to twelve children at one time, including children under the age of 6 related to the provider. The provider must be licensed by the State of Ohio Department of Human Services and can have no more than one employee assisting.

Day Care Home - Type B. "Day care home - Type B" means a child care facility located in a permanent residence where an occupant of the residence provides care and supervision for six or fewer children at one time, including children under the age of 6 related to the provider. No employees are permitted.

Decision. "Decision" means a discretionary action by a decision-making body.

Decision-Making Body. "Decision-making body" means an individual, officer, board or commission representing the City authorized to decide an application.

~~**Deck.** "Deck" means an exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports. For the purposes of this Code, a deck is a part of the structure it is accessory to.~~

Demolition. "Demolition" means any act or process that razes, removes, or destroys, in whole or in part a Historic Asset or non-contributing structure, or the substantial deterioration of a Historic Asset or non-contributing structure.

Density. "Density" means the number of dwelling units for every unit of land. (Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004; a. Ord. No. 159-2008, § 2, eff. June 7, 2008)

~~**Department.** "Department" means the Department of Planning and Buildings, including predecessor or successor departments charged with administering the LDC.~~

~~**Depth, Ground-Floor Space.** "Ground-floor space-depth" means the distance from the street-facing facade to the rear interior wall of the ground-floor space available for an permitted use.~~

Depth-to-Height Ratio. "Depth-to-height ratio" means the relationship of the depth of a space divided by the average height of the surrounding buildings.

Detached. "Detached" means separate or unconnected.

Detached House(s). "Detached house(s)" means separate or disconnected building.

Development. "Development" means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure or any mining, excavation, landfill, or land disturbance or any use or extension of the use of land.

Developmental Disability Dwelling. "Developmental disability dwelling" means an establishment licensed by the State of Ohio that is located in a single-family residence and provides accommodation, personal care, habilitation services and supervision in a family setting for not more than eight residents with developmental disabilities and employees caring for such residents.

Director. "Director" means the Director of City Planning and Buildings or their duly appointed representative.

Disability. A physical or mental impairment that substantially limits one or more major life activities.

Disability, Persons with. "Disability, persons with" means individuals who are regarded as having a physical or mental impairment, or with a record of such impairment.

Disposition, Formal. "Formal disposition" means composed in a formal arrangement, in a regular, classical, and typically symmetrical manner.

Disposition, Informal. "Informal disposition" means civic spaces with an informal character have a mix of formal and natural characteristics.

Disposition, Natural. "Natural disposition" means a preservation of the existing natural condition or a composition of elements arranged as they would appear in nature, with irregular shapes and asymmetry.

Distance Between Entries. "Distance between entries" means the horizontal distance between entrances on the main facade of a building or buildings.

Dooryard. "Dooryard" See [Sec. 1705-3.9](#).

Dormitory. "Dormitory" means a space in a building where group sleeping accommodations are provided for persons not members of the same family group, in one room, or in a series of closely associated rooms.

Double-Frontage Lot. See "Lot, Double Frontage".

Drinking Establishment. See "Establishment, Eating and Drinking".

Drive Box. "Drive box" means an enclosable container temporary in nature for receiving recyclable or reusable material.

Drive-Thru. "Drive-Thru" means a facility at which the customer is served while sitting in a vehicle, typically associated with drive-thru restaurants, banks and pharmacies.

Drive-Thru Components. "Drive-Thru Components" means any equipment or signage integral to the drive-through operations including but not limited to menu boards, pick-up or service windows, queuing lines, ATMs and voice boxes.

Driveway. "Driveway" means a vehicular lane within a lot, or shared between two lots, usually leading to a garage, other parking or loading area.

Dwelling. "Dwelling" means a building occupied, arranged, intended, or designed to be occupied as an abode for one or more persons.

Dwelling, Attached: "Attached dwelling" means a single or a multifamily residential structure that is attached to one or more residential structures, each located on separate lots and with independent access to the exterior, connected by a fire resistive common wall or abutting walls or by a garage or other structural element.

Dwelling, Carriage House. "Carriage house dwelling" means an accessory outbuilding used as a single family dwelling on the same lot as the primary single family dwelling.

Dwelling, Loft. ~~"Loft dwelling" means a dwelling unit which may contain a studio, gallery, office or business.~~

Dwelling, Rowhouse. See Dwelling, Attached ~~"Rowhouse Dwelling" means a building containing two or more single-family rowhouses, each rowhouse being separated from the adjoining rowhouse by fire resistive walls without openings and each rowhouse having independent access to the exterior of the building in the ground story~~

Dwelling, Single Family. ~~"Single family dwelling" means a freestanding building designed for occupancy by one family.~~

Dwelling, Single Family Attached. "Single family attached dwelling" means a dwelling unit that is attached to one or more dwelling units, each with independent exterior access and each with no less than two exterior walls. ~~Attached single-family dwellings include cluster housing.~~

Dwelling, Single Family Detached. "Single family detached dwelling" means a freestanding building designed for occupancy by one family.

Dwelling, Four Family. "Four family dwelling" means a single building containing four dwelling units, each of which has direct access to the outside or a common hallway leading outside.

Dwelling, Three Family. "Three family dwelling" means a single building containing three dwelling units, each of which has direct access to the outside or a common hallway leading outside.

Dwelling, Two Family. "Two family dwelling" means a single building that contains two dwelling units, each of which has direct access to the outside or a common hallway leading outside.

Dwelling, Student. "Student dwelling" means a dwelling that is occupied by three or more students, or a multi-family dwelling in which 50% or more of the dwelling units are occupied by students. For purposes of this definition, "student" means any person enrolled in or that has been accepted to a trade school, community college, technical college, college, university, or other similar institution of higher learning and is enrolled during the upcoming or current session, or was enrolled in the previous term, or is on a scheduled term break or summer break from the institution, but shall not include any person enrolled in or that has been accepted to an institution, school, college or university solely offering courses by electronic means or by other correspondence.

Dwelling Unit. "Dwelling unit" means one or more rooms with a single kitchen designed for occupancy by ~~one family~~ a household for living and sleeping purposes.

Dwelling Unit, Stacked. "Stacked dwelling unit" means a dwelling unit situated immediately above or below another dwelling unit.

E

Easement. "Easement" means a grant of one or more property rights for a designated portion of land by the property owner to the public, a corporation, person or other entity. ~~(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)~~

Eating or Drinking Establishment. "Eating or drinking establishment" means a business that is primarily engaged in serving prepared food or beverages for consumption on or off the premises with or without alcohol sales. It includes drinking establishments, bars, nightclubs, lounges or dance halls serving beverages for consumption on the premises as a primary use and including on-site service of alcohol, including beer, wine and mixed drinks.

Eave. "Eave" means the overhang at the lower edge of a roof.

Elevated Ground Floor. "Elevated ground floor" means a ground floor situated above the grade plane at street-level.

Encroachment. "Encroachment" means any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace or deck, that breaks the plane of a vertical or horizontal regulatory limit, and extends into a setback, beyond the build-to-line, into the public frontage, or above a height limit.

Entry. "Entry" means an opening, such as a door, passage, or gate that allows access to a building.

Entry, Service. "Service entry means an entry used for the delivery of goods and removal of refuse.

Erosion. "Erosion" means the wearing away of the land surface by the action of the wind, water, gravity, or other natural process.

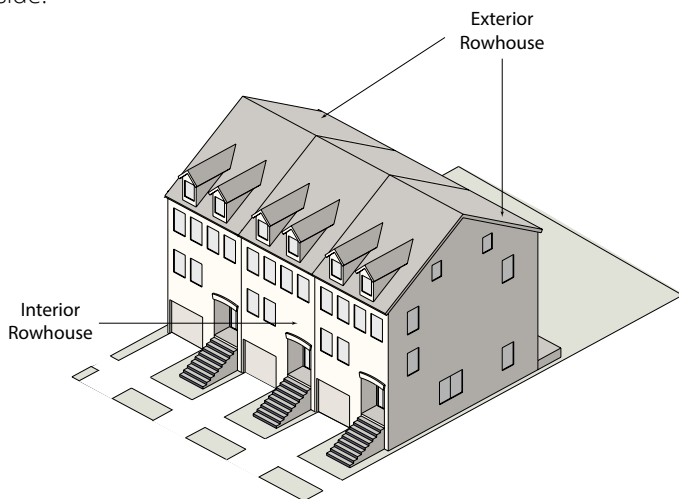
Establishment. "Establishment" means a specific land use on a lot or within a building. For purposes of this code, and establishment with multiple uses and/or products is considered to be one establishment when operating under one roof, within the same building footprint, or controlled a unifying entity.

~~**Expressway.** "Expressway" means a divided arterial highway for through traffic with full or partial control of access and generally with grade separations at intersections.~~

Extension. "Extension" means an increase in the amount of the existing gross floor area.

Exterior Lighting. "Exterior lighting" means exterior light sources on private property including canopy, perimeter and flood.

Exterior Rowhouse Lot. "Exterior rowhouse" means a lot that is or is intended to be a site for a single-family rowhouse with a similar rowhouse attached on only one side.



External Employee. "External employee" means an employee who does not reside at his or her place of employment.

F

Facade, Building. "Building facade" means the maximum horizontal dimension of that side of a building abutting on or generally parallel to the front lot line or, in the case of a corner building, the combined maximum horizontal dimensions of the sides of the building abutting or generally parallel to the front lot line and the corner side line. (~~Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004~~)

Facade Zone. "Façade zone" the area between the minimum and maximum setback lines.

Facility. "Facility" means an improvement, structure or building that is designed and used for a particular purpose.

~~**Family.** "Family" means a person living alone or two or more persons living together as a single housekeeping unit in a dwelling unit as distinguished from a group residential use. As applied in the SF District use regulations "family" includes:~~

- ~~1) Up to five persons unrelated to each other by blood, marriage or legal adoption, living together as a single housekeeping unit; or~~
- ~~2) Up to eight persons, other than foster parents and employees, living together in a foster home approved and regulated by the State of Ohio.~~

Farming. "Farming " means the raising of tree, vine, field, forage and other plant crops, as well as the keeping, grazing or feeding of animals and incidental processing, storage and retail sales facilities. This does not include animal feeding operations, which are classified under Industry, Manufacturing and Processing.

~~**Federal Emergency Management Agency (FEMA).** "Federal Emergency Management Agency" means the agency with the overall responsibility for administering the National Flood Insurance Program.~~

Fence. "Fence" means a barrier made of wire, wood, metal, masonry or other material typically used as fencing or determined appropriate by the Director of

Buildings and Inspections, used as a screen or enclosure for a yard or open space. It includes a wall, gate or other structure used as a fence.

Fill. "Fill" means a deposit of earth material placed by artificial means.

Finished Grade. "Finished grade" means the final ground elevation around a building after all earthwork has been completed.

Flex Space. "Flex space" means the final ground elevation around a building after all earthwork has been completed.

Flood or Flooding. "Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1) The overflow of inland or tidal waters, and/or
- 2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM). "Flood hazard boundary map" means the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas:

Flood Hazard Notation. "Flood Hazard Notation" means a notation for all subdivisions for which no plat is required, in which the following notice shall appear on a conveyance of a parcel if said parcel is within an area of special flood hazard: "A portion of this subdivision is within an area of special flood hazard—consult the Cincinnati offices of the Department of City Planning and Buildings and the Storm water Management Division of MSD."

Flood Insurance Rate Map (FIRM). "Flood Insurance Rate Map" means the official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.

Flood Insurance Risk Zones. "Flood Insurance Risk Zones" means the zone designations on FHBM's and FIRM's that indicate the magnitude of the flood hazard in specific areas of a community.

Flood Insurance Study (FIS). "Flood Insurance Study" means the official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.

Flood Plain or Flood Prone Area. "Flood plain or flood prone area" means land area susceptible to being inundated by water from any source.

Flood Protection Elevation. "Flood protection elevation" means the base flood elevation plus one foot of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the floodplain administrator.

Floodway. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community. The floodway is an extremely hazardous area, and is usually characterized by any of the following: moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

Floodway Fringe. "Floodway fringe" is the area that encompasses the portion of the flood plain that could be completely obstructed without increasing the water surface elevation of the base flood more than 1.0 foot at any point.

Floor Area. "Floor area" means inside surface measured to the outside walls in a defined space

Floor Area, Gross. See "Gross, Floor Area".

Floor Area Ratio (FAR). "Floor area ratio" means the gross floor area of a building divided by total lot area, but exclusive of such floor area as may be used for parking

facilities within the principal building and exclusive of such floor area as may be used for incidental service storage, installations of mechanical equipment, housing ventilators and heating systems and similar uses and the space used in common for recreational purposes by tenants and their guests where such facilities are not a part of an individual dwelling unit.

Floorplate. "Floorplate" means an area measurement in square feet of either the gross or the rentable floor area of a typical floor in a building.

Floorplate, Commercial. "Commercial floorplate" means the square footage area measurement of a floorplate dedicated to commercial uses.

Floorplate, Residential. "Residential floorplate" means the square footage area measurement of a floorplate dedicated to residential uses.

Food Market. "Food market" means an establishment for retail sales of food and beverages for off-site preparation and consumption. Typical uses include supermarkets, specialty food stores, delicatessens or convenience markets. This category also includes large-scale stores that sell food items and beverages in bulk.

Food Preparation. "Food preparation" means a business that prepares food and beverages for off-site consumption, including delivery services. This classification includes catering kitchens, bakeries with on-site retail sales and the small-scale production of specialty foods, such as sweets. This classification excludes food production of an industrial character.

Footprint. "Footprint" means the outline of the area of ground covered by a building or structure.

Footprint Area. "Footprint area means the total square footage contained within a footprint.

Four-Family Dwelling. "See "Dwelling, Four-Family."

Fraternity or Sorority House. "Fraternity or sorority house" means a building used as group living quarters for students of a college or university, who are members of a fraternity or sorority recognized by the college or university.

Freeboard. "Freeboard" means a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

Freestanding Wall. "Freestanding wall" means a wall that is separate from a building and supported by independent means.

Freeway. ~~"Freeway" means an expressway with full control of access.~~

Front Lot Line. See "Lot Line, Front".

Front Yard. "Front yard" means the area of a lot extending across the full width of the lot and measured between the building line and the front lot line.

Frontage. "Frontage" means a strip or extent of land abutting a thoroughfare, civic space or other public right-of-way.

Frontage, Private. "Private frontage" means the area between the building facade and the shared lot line between the public right-of-way and the lot.

Frontage, Public. "Public frontage" means the area between the curb of the vehicular lanes and the edge of the right-of-way.

Frontage Line. "Frontage line" means the lot lines fronting a thoroughfare or other public way, or a civic space.

Frontage, Street. "Street frontage" means the sides of a lot abutting a street.

Frontage Type. "Frontage type". See Sec. 1705-3 (Specific to Frontage Types).

Fuel Sales. "Fuel sales" means the retail sale of gasoline, diesel and kerosene fuels.

Funeral and Interment Service. "Funeral and interment service" means an establishment primarily engaged in the provision of services involving the care, preparation or disposition of human dead. Typical uses

include funeral parlors, crematories, mortuaries or columbaria. A "cemetery" means a burial ground for the interment of the human dead, including columbaria and mausoleums, but excluding crematories or mortuaries classified as Undertaking, funeral and interment services.

Furniture and Fixture Manufacturing. "Furniture and fixture manufacturing" means a business that manufactures wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes furniture re-upholstering businesses, and wood and cabinet shops, but not sawmills or planing mills.

Furniture Area. "Furniture area" means an area of space that allows for the placement of furniture without restricting the movement of pedestrians.

G

Gable. "Gable" means a vertical wall in the shape of a triangle formed between the cornice or eave and the ridge of the roof.

Garage. "Garage" means a structure, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

Garden Supply, Nursery. "Garden supply" and "nursery" means an establishment primarily engaged in the retail sale of garden supplies and plants grown on the premises or elsewhere. This classification includes the sale of landscape materials, topsoil and rental of landscaping equipment.

General Retail. See "Retail".

Glazing. "Glazing" means openings in a building in which glass is installed.

Government Facility or Installation. "Government facility or installation" include Major mail processing centers, military installations, vehicle emissions testing facilities and other similar facilities.

Government Offices. "Government Offices " include administrative, clerical or public contact offices of a government agency, together with incidental storage and maintenance of vehicles, including post offices.

Grade, Existing. "Existing grade" means the elevation of the ground level or pavement at a stated location as it exists prior to disturbance in preparation for a development.

Grade, Finished. "Finished grade" means the final elevation of the ground level after completion of the development.

Gross Floor Area. "Gross Floor Area" means the sum of the gross horizontal area of all floors of a building or structure measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings with no deduction for hallways, stairs, closets, thickness of interior walls, columns or other features. This definition does not include the area of parking facilities within the principal building.

Ground Floor. "Ground floor" means the floor of a building located nearest to the level of the ground around the building.

Group Home. See "Transitional Housing".

Group Residential. "Group residential" includes shared living quarters such as rooming houses, shared housing for the elderly, congregate housing, monasteries, convents, dormitories, sororities, fraternities, patients' family homes and private residential clubs. This classification excludes bed and breakfast.

Group Residential, Congregate Housing.

"Congregate housing group residential" means apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services and other support services appropriate for the residents.

Group Residential, Fraternity, Sorority or

Dormitory. "Fraternity, Sorority or Dormitory group residential" means a space in a building where group sleeping accommodations are provided with or without meals for persons not members of the same family

group, in one room or in a series of closely associated rooms under joint occupancy and single management. Examples include college dormitories, and military barracks. A "fraternity" or "sorority" is a building used as group living quarters for students of a college or university, who are members of a fraternity or sorority recognized by the college or university.

Group Residential, Patient Family Home. "Patient family home group residential" means a residential facility for the temporary residence of families of patients under medical care with common kitchen, dining and living spaces, owned, operated, managed or supervised by a non-profit organization.

Group Residential, Rooming House. "Rooming house group residential" means building containing three or more rooming units not offering nursing or dietary care, therapy or counseling for its occupants.

Group Residential, Shared Housing for Elderly. "Shared housing for elderly group residential" means a residence for not more than ten adults, the majority of whom are 60 years of age or older, either cooperatively established by the residents or under the sponsorship of a non-profit organization; provided that the residents are living together as a family and are all capable of self-preservation without assistance in the event of an emergency

Ground Passenger Transportation. "Ground passenger transportation" means ~~(e.g. Taxi, Charter Bus).~~ Establishments that provide passenger transportation by bus, charter bus, automobile, limousine, van, or shuttle. Some services (such as taxi) are not operated over regular routes and on regular schedules. Examples include charter bus, special needs transportation, taxicab owner/ operators, taxicab fleet operators, or taxicab organizations. This does not apply to publicly operated bus or mass transit systems.

H

Habitable Space. "Habitable space" means the portion of a building that is suitable for human occupancy.

Halfway House. "Halfway House" means a congregate home for parolees, releasees, or prisoners otherwise released from a correctional institution that is licensed by the state division of parole and community services and operated by a private, nonprofit organization or a governmental agency that houses such persons during a part or for the entire period of the offender's or parolee's conditional release or of the releasee's term of post-release control.

Height, Building. "Building height" see Sec. 1703-11 to determine building height in a Use District and Sec. 1705-4.5 to determine building in a Form District means the vertical dimension as determined in § 1703-11.7.

~~**Height, Building.** "Building height" is measured from the established grade in the front of the lot or from the average natural grade at the building line, if higher, to the top of the cornice of flat roofs, or to the deck line of a mansard roof, or to the mid-height of the highest gable or dormer in a pitched or hipped roof, or, if there are no gables or dormers, to the mid-height of a pitched or hipped roof.~~

Heliport. See "Transportation, Heliport".

Hillside Study. "Hillside Study" means the report prepared by the City Planning Commission in 1969 for general public distribution; this study identified the 23 critical hillsides within the City of Cincinnati, their natural characteristics and general suitability for development.

Historic Asset. "Historic Asset" includes the following: (i) a Historic Structure within a Historic District; (ii) a Historic Landmark; or (iii) a Historic Site.

Historic District. "Historic District" means an identifiable area comprised of two or more parcels and containing two or more Historic Assets typical of one or more eras in the city's history, or representing an assemblage of structures important to the city's history that is designated as such pursuant to the provisions of this code.

Historic Landmark. "Historic Landmark" means a Historic Structure or Historic Structures located on a single parcel or contiguous parcels that is designated as such pursuant to the provisions of this code.

Historic Significance. "Historic Significance" means: (a) the attributes or characteristics of a district, site or structure that possess integrity of location, design, setting, materials, workmanship, feeling and association; (b) a district, site or structure that is associated with events that have made a contribution to the broad patterns of our history; (c) a district, site or structure that is associated with the lives of persons significant in the past; (d) a district, site or structure that embodies the distinctive characteristics of a type, period or method of construction; (e) a district, site or structure that represents a significant and distinguishable entity whose components may lack individual distinction; or (f) a district, site or structure that has yielded, or may be likely to yield, information important in prehistory or history.

Historic Site. "Historic Site" means real property on which a Historic Structure is located or on which there is no structure but that is itself of Historic Significance and that is designated as such pursuant to the provisions of this chapter.

Historic Structure. "Historic structure" means any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or
- 4) Individually listed on the inventory of historic places maintained by the City of Cincinnati's historic preservation program, which program is certified by the Ohio Historic Preservation Office.

Home for Adjustment. See "Transitional Housing".

Home Occupation. "Home occupation" means an accessory activity of a nonresidential nature that is performed within a dwelling unit by the occupant of the unit, limited to one occupation per unit. A home occupation has no external employees.

Home Office. "Home office" means a residential premises used for the transaction of business or the supply of professional services which employ up to three external employees. Home office shall be limited to the following: agent; architect; artist; broker; consultant; draftsman; dressmaker; engineer; interior decorator; lawyer; notary public; teacher; and other similar occupations, as determined by the Director.

Hospital. "Hospital" means a state-licensed facility providing medical, surgical, psychiatric or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including drug and alcohol abuse programs as well as training, research and administrative services for patients and employees.

Hotel. "Hotel" means a facility with six or more guest rooms or suites designed for transient habitation, where access to individual units is predominantly through a common lobby that may provide additional services, such as conference and meeting rooms, restaurants, bars or recreation facilities available to guests or to the general public. This classification includes motor lodges, motels, hostels, extended stay hotels and tourist courts; but does not include rooming houses, boarding houses or residential hotels that are used, designed or intended to be used for sleeping for a period of 30 consecutive days or longer.

Household. "Household" means ~~up to four persons unrelated to each other by blood, marriage or legal adoption, living together as a single housekeeping unit; or up to eight persons, other than foster parents and employees, living together in a foster home approved and regulated by the State of Ohio; a person living alone or two or more persons living together as a single housekeeping unit as distinguished from two or more persons living together in any congregate housing, medical assistance housing, or social service housing.~~

uses (for a list of specific uses in those use categories, see the Permitted Use Table in Section 1703-9.3). For purposes of this Code, the following shall create a rebuttable presumption that the group is not a single housekeeping unit: Occupancy must comply with Housing Code Standards.

- 1) Keyed lock(s) on any interior door(s) to prevent access to any area of the dwelling unit with sleeping accommodations.
- 2) Members of the group have separate leases, or sub-leases and/or make separate rent payments to a landlord.
- 3) The group significantly reforms over the course of a twelve (12) month period by losing and/or gaining members.

I

Identification Sign. "Identification sign" means a sign for the purpose of identifying the name of a business.

Illegal Use. "Illegal use" means an activity or facility that is not a legal conforming or legal nonconforming use.

Impairment, Physical or Mental. "Impairment, physical or mental" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

Improvement. "Improvement" means the product of any modification to a lot, structure or building.

Incidental. "Incidental" means subordinate and minor in size and use and bearing an exclusive relationship with the primary use.

Indoor Storage. "Indoor storage" means a facility for the keeping of business, personal property and office records in a roofed building.

Interior Lot. "Interior lot" means a lot other than a corner lot.

Interior Rowhouse Lot. See "Lot, Interior Rowhouse."

Interior Side Lot Line. See "Lot Line, Interior Side".

J

Juvenile Detention Facility. "Juvenile detention facility" means a facility operated as a place for juvenile detention under the jurisdiction of the Court of Common Pleas, Juvenile Division of Hamilton County for children alleged or adjudicated as delinquent, unruly, dependent, neglected, abused or juvenile traffic offenders.

K

Kitchen. "Kitchen" means a room or part of a room that is designed, built, used or intended to be used for food preparation and dishwashing.

KOPE. "KOPE formation" means the shale bedrock that is overlaid by colluvium soils. (See § 1433-03-C2). The colluvium forms a deposit that is thin on the steeper, higher slopes and gradually becomes thicker near the bottom of the hill. Landslides may occur in the colluvium, because the colluvium is derived from the weathering of bedrock.

L

Laboratory, Commercial. "Commercial laboratory" means a facility for medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services. Scientific research facilities are classified under "Research and Development".

Landing. "Landing" means a level area at the top or bottom of a staircase or between one flight of stairs and another.

Landline Communications. "Landline communications" means a system for the transmission of information by wire or fiber.

Landscaping. "Landscaping" means flowers, shrubs, trees or other decorative material of natural origin.

Landslide Indicia. "Landslide Indicia" means geographical contour information included in the Cincinnati Area Geographic Information System (CAGIS) that illustrates both the degree of slope (See definition for "Slope") as well as irregularities, the presence of which indicate existing or potential landslides. Primary examples of irregularities include:

- 1) A significant variation in the degree of slope within a given hillside, and
- 2) Very closely spaced contours, particularly near the bottom of a slope.

Either of these characteristics may indicate existing or dormant landslides. These characteristics, when combined with the soil type provide a basis for identifying hillsides where site-specific geotechnical investigations are needed.

Landslide Susceptible Soils. "Landslide Susceptible Soils" means a soil of any of the following types when found on slopes of 20 percent or steeper:

- 1) Bonnell Silt Loam
- 2) Casco Loam
- 3) Eden Silty Clay Loam
- 4) Hennepin Silt Loam
- 5) Markland Silty Clay Loam
- 6) Miamian-Hennepin Silt Loam
- 7) Pate Silty Clay Loam
- 8) Switzerland Silt Loam

Landslide Susceptibility Study and Map. "Landslide Susceptibility Study and Map" means the study and map prepared in 1980 by the consulting firm of Sowers and Dalrymple for the Department of Transportation and Engineering. This map, which divides the City of Cincinnati into four categories of landslide susceptibility, is also used to determine the need for further geotechnical investigation. Low, moderate, moderately high and high landslide susceptibility categories are used in the determination of HS overlay district boundaries.

Laundries and Commissaries. "Laundries and commissaries" means a facility for washing clothes, eating meals or snacks, or using equipment, and that is reserved for residents, employees or customers of the principal use.

Life Care or Continuing Care Services Residential Care Facility. "Life Care or Continuing Care Services Residential Care Facility" means an institution, residence or facility licensed by the State of Ohio that provides accommodation and personal assistance to more than three residents who are dependent on the services of others by reason of age and physical or mental impairment, and that is licensed to provide skilled nursing care.

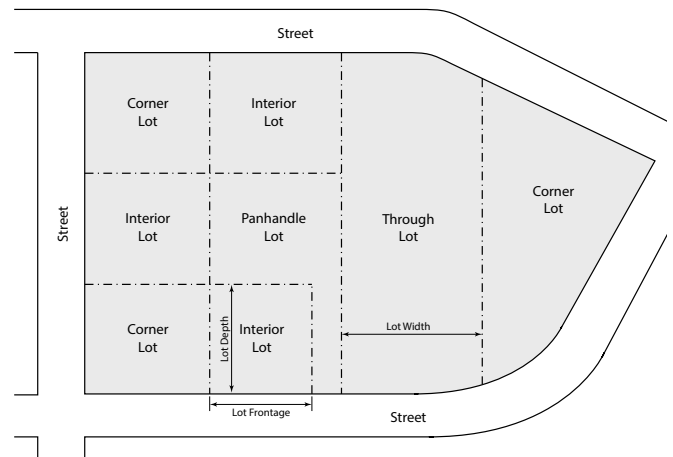
Limited Use. "Limited use" means a use **allowed permitted** in a zoning district subject to specific limitations and the restrictions applicable to that zoning district.

Live/Work Unit. "Live/work unit" means a unit where there is a dual primary use that is shared between a residential use and a commercial or production use allowed in that zoning district.

Loading Dock(s). "Loading dock(s)" means a platform where cargo from vehicles or trains can be loaded or unloaded.

Loft Dwelling. "Loft dwelling" means a dwelling unit which may contain a studio, gallery, office or business.

Lot. "Lot" means a unit of real property having boundaries established by the official county tax map.



Lot Area. "Lot area" means the total square footage or acreage contained within the lot line.

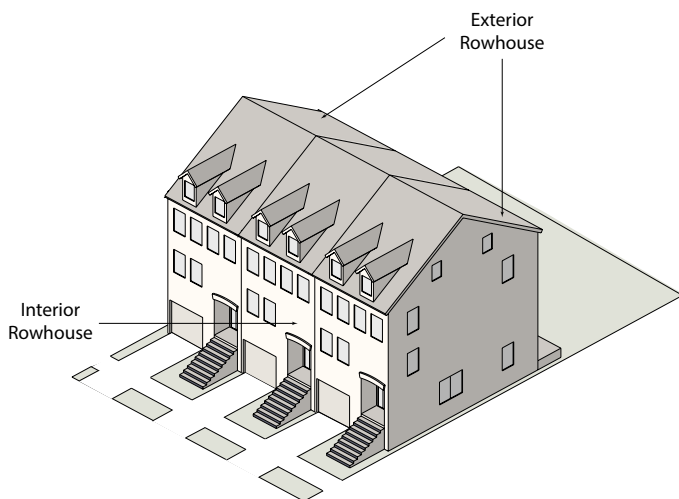
Lot, Corner. "Corner lot" means a lot with two frontage lines that intersect.

Lot Coverage. "Lot coverage" means the portion of a lot, expressed as a percentage, that is covered in buildings or other structures.

Lot Depth. "Lot depth" means the horizontal distance between the front lot line and rear lot line of a lot measured perpendicular to the front lot line.

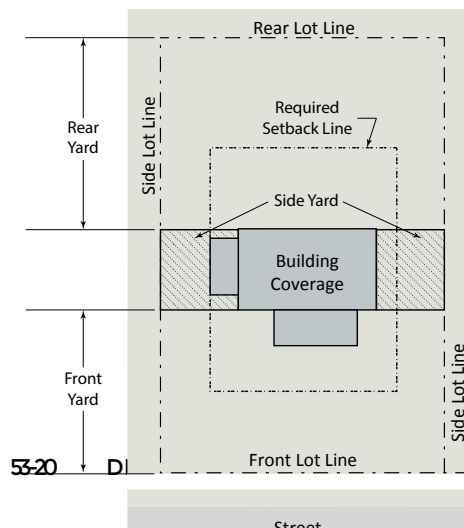
~~**Lot, Double-Frontage.** "Double-frontage lot" means an interior lot having frontage on more than one street.~~

Lot, Interior Rowhouse. "Interior rowhouse lot" means a lot that is or is intended to be a site for a single-family rowhouse with a similar rowhouse attached on each side.



Lot, Interior Side Line. "Interior side lot line" means a side lot line not abutting a street.

Lot Line. "Lot line" means the legal boundary of a parcel separating one lot from another.



Lot Line, Front. "Front lot line" means a lot line dividing a lot from a street. On a corner lot only one street line may be considered as a front line; provided that, where the length of a shorter street line is less than 90 percent of the length of the longer street line, the shorter street line is considered as the front lot line.

Lot Line, Rear. "Rear lot line" means a lot line opposite the front lot line. In the case of an irregular, or triangular lot, it means a line within the lot, ten feet long, parallel to and at the maximum distance from the front lot line.

Lot Line, Side. "Side lot line" means a lot line that is not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot Line, Street Side. "Street side lot line" means a lot line dividing a lot from an abutting street, private way or alley way.

~~**Lot of Record.** "Lot of record" means a parcel of land that is in existence as of the effective date of this LDC or any amendment thereto or was shown on a preliminary plan of a subdivision approved by the City Planning Commission.~~

Lot, Panhandle. "Panhandle lot" means a lot whereon the portion of the lot between the building site and its frontage on a street is more than 60 feet in length and less than 30 feet in width at a point.

Lot, Sub-Minimum. "Sub-minimum lot" means a lot not complying with the lot area requirements of the district but with the provisions of [Sec. 1703-11.3.B](#); or a lot complying with the lot area requirements but not with the lot width requirements of the district.

Lot, Through. "Through lot" means a lot with two or more frontage lines that do not intersect.

Lot, Vacant. "Vacant lot" means a lot without a building or structure.

Lot Width. "Lot width" means the horizontal distance between the lot lines measured parallel to the front lot line.

Low-Impact Manufacturing. "Low-Impact Manufacturing" means the processing or fabrication of certain materials or products where the process involved will not produce light, noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties or compromise the quality of living.

M

Main Body. "Main body" means the primary massing of a building.

Main Building. "Main building" means the building that serves the focal point for all activities related to the principal use of the lot.

Main Facade. "Main facade" means the front facade of a main building.

Maintenance and Repair Service. "Maintenance and repair service" means an establishment providing repair services for personal and household goods, such as household appliances, computers, television, audio or video equipment, office machines, furniture and leather goods. This classification excludes building maintenance services and maintenance and repair of automobiles and other vehicles and equipment.

Major. "Major" means having a greater size, scope, effect, characteristic or quality relative to the other corresponding sizes, scopes, effects, characteristics or qualities; or being the greater of two or more.

~~**Manufactured Home.** "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of Chapter 1109 CBC, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 3733 of the Ohio Revised Code. For the purpose of this code, a manufactured home shall be considered a single family detached dwelling.~~

~~**Manufactured Home Park.** "Manufactured home park", as specified in the Ohio Administrative Code 3701-27-01, means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority.~~

Marina. "Marina" means a facility for launching, mooring, berthing, storing or securing watercraft for primarily recreational use. A marina provides services to recreational watercraft and occupants thereof, including sanitary and other minor servicing and repair to watercraft while in the water and the sale of fuel and supplies. A marina may provide food, lodging, goods, beverages, recreation and entertainment as accessory uses. This classification includes public docks, yacht clubs, boat clubs and boatels.

Marine Sales and Service. "Marine sales and service" means an establishment engaged in the sale and service of marine equipment, boats and recreational watercraft and accessory parts and supplies.

Market Shop/Open Market. "Market shop/open market" means a structure or place where agricultural products or consumer goods are brought by individual producers for the purposes of retail sales. The structure from which produce is sold need not be portable or capable of being dismantled or removed from the site. This includes farmers markets or flea markets.

Marquee. A "Marquee" is a permanent roofed structure attached to and supported by the building and projects over public property/right-of-way. A marquee is constructed of a durable material such as glass or metal and is designed to accept signage and to provide protection from the elements. Marquees are not awnings or canopies.

Massing. "Massing" means the overall shape or arrangement of the bulk or volume of buildings and structures.

Media Production. "Media production" means establishments that produce, manufacture, arrange for the manufacture, or distribute motion pictures, videos, television programs, television commercials, music and sound recordings. This includes specialized motion picture or video post-production services, such as editing, film/tape transfers, titling, subtitling, credits, closed captioning, and computer produced graphics, animation and special effects, and developing and processing motion picture film. Examples include motion picture film laboratories, stock footage film libraries, post-production facilities, teleproduction services, and sound recording studios.

Medical Office or Clinic. "Medical office or clinic" means a facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: offices for physicians, dentists, chiropractors, or other health care professionals; outpatient care facilities; urgent care facilities; and other allied health services. These facilities may also include incidental medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under "Offices -Professional/Administrative." Patients are not provided with room and board and are not kept overnight on the premises. Medical Services and medical clinics include medical and dental laboratories incidental to the medical office use.

Meeting Facility. "Meeting facility" means a facility for public or private meetings, including, but not limited to: recreational, or social facility of a private or nonprofit organization or public institution primarily for use by members or guests including residential accommodations that are available to members or guests on a temporary basis but excluding residential hotels. This classification includes union halls and social clubs or lodges.

Metal Waste Salvage Yard, Junk Yard. "Metal waste salvage yard" and "junk yard" means an establishment for the storage and dismantling of vehicles and equipment for sale of parts, as well as the collection, storage, exchange or sale of goods including, but not limited to, any used building material, used containers or steel drums and similar or related articles or property.

Mini Warehouse. See "Indoor Storage".

Mining and Quarrying. "Mining" and "quarrying" means the extraction of metallic and nonmetallic minerals, including sand and gravel pit operations.

~~**Minor.** "Minor" means the overall shape or arrangement of the bulk or volume of buildings and structures.~~

Mixed Use. "Mixed use" means a building or defined area in which multiple uses may establish.

Motorway. "Motorway" means a principal arterial route designated on the Thoroughfare Plan as an expressway, modified expressway or thoroughfare.

Multi-Family Dwelling. "Multi-family dwelling" means a building or portion thereof containing more than three dwelling units that cannot be classified as a multiple single family dwelling.

Mural. See "Sign, Mural".

N

~~**National Flood Insurance Program (NFIP).** "National Flood Insurance Program" means a Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the~~

~~Federal government will make flood insurance available within the community as a financial protection against flood loss.~~

Neighborhood Center. "Neighborhood center" means a development that provides a mix of civic, institutional and/or commercial uses.

New Construction. "New construction" means new development, ~~new use or new alterations~~ in which permits were filed for on or after the effective date of this Code.

New Development. "New development" means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure or any mining, excavation, landfill, or land disturbance or any use or extension of the use of land which did not exist prior to the effective date of this Code.

Non-Contributing Structure. A "Non-Contributing Structure" is a structure located within a Historic District or Historic Site, or that is associated with a Historic Landmark, that does not have Historic Significance.

Noncomplying Structure. "Noncomplying structure" means a structure that was lawfully erected but that does not comply with the currently applicable requirements and standards prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this ordinance.

Nonconformity . "Nonconformity" means a use of a structure or land that was lawfully established and maintained, but that does not conform with currently applicable use regulations for the district in which it is located by reason of adoption or amendment of this ordinance

Nonstore Retailers. "Nonstore retailers" means Establishments that retail merchandise through on-line, mass media, telephone, mail, or similar methods (infomercials, direct-response advertising, paper and electronic catalogs, door-to-door solicitation, in-home demonstration, selling from portable stalls, vending machines, and similar methods). Examples include mail order houses, vending machine operators, home delivery

sales, door-to-door sales, party plan sales, electronic shopping, and sales through portable stalls (e.g., street vendors).

Nursing Home. "Nursing home" means an institution, residence or facility licensed by the State of Ohio that provides accommodation, personal assistance and skilled nursing care to more than three residents who are dependent on the services of others by reason of age and physical or mental impairment.

O

Office, General. "General office" means a facility for a firm or organization that primarily provides professional, executive, management or administrative services, such as accounting, advertising, architectural, city planning, computer software consulting, data management, engineering, medical, dental, chiropractors, or other health care professionals, environmental analysis, insurance, interior design, investment, graphic design, landscape design, law and real estate offices, drafting and recording studios. It excludes medical offices with more than two licensed health care professionals (see §1401-01-M3 Medical Services and Clinics), banks and savings and loan associations and offices that are incidental to retail, production, storage or other activities.

Office Uses. "Office uses" includes space in the building that houses the principal use or a detached building on the same lot, which is used for management, operations, or administrative functions associated with that use.

Off-Site Sign. "Off-Site Sign" means a sign directing attention to a business, commodity, service, person, or entertainment conducted, sold or offered elsewhere than on the premises where the sign is maintained, including an Outdoor Advertising Sign as defined and regulated in Chapter 895 of the Cincinnati Municipal Code.

Off-Street Loading. "Off-street loading" means an off-street space for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

Oil and Gas Warehousing and Storage. "Oil and gas warehousing and storage" means a tank farm or outdoor facility for the storage of oil and gas. '

Opacity. "Opacity" means the measurement of the screening effectiveness, particularly the amount of light which passes through the screening material.

Open Space. "Open space" means the yard or the area between two buildings or between a building and the boundary line of a parcel.

- 1) "Common open space" means an open area within a development reserved for the exclusive use for occupants of the development and their guests.
- 2) Private open space" means an open area outside of a building adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Zone. "Open zone" means a sub-zone within a transect zone that allows for a greater range of land uses without relaxing the building form standards of the zone.

Outdoor Entertainment. "Outdoor entertainment" means the provision of television or musical, theatrical, dance, cabaret, or comedy act performed by one or more persons either electronically amplified or not and/or any form of dancing by patrons and guests outside of the principal building on a deck or patio.

Outside-Outdoor Equipment Storage Area.

"Outdoor equipment storage area" includes an open, unenclosed area to store large equipment such as trucks with greater than a one and one-half ton rating, cranes, crawler-type tractors, earth movers, dump trucks, and other equipment of equal or greater size and weight.

Outdoor Storage. "Outdoor storage" means the keeping of commercial goods, equipment and raw materials in an open lot.

Overhead Door. "Overhead door" means a door constructed in horizontally hinged sections that are equipped with hardware that rolls the sections into an overhead position clear of the opening.

P

Panhandle Lot. See "Lot, Panhandle"

Parabolic Antenna. "Parabolic antenna" means a bowl-shaped device also known as a dish antenna for the reception and/or transmission of radio frequency communication signals in a specific directional pattern.

Parapet. "Parapet" means low wall along the edge of a roof or the portion of a wall that extends above the roof line.

Parcel. See "Lot".

Park and Recreation Facility. "Park" and "recreation facility" means a park, playground, recreation facility and open space. This classification includes community centers, playing fields, courts, gymnasiums, swimming pools, wave pools, spraygrounds, picnic facilities, golf courses and country clubs, zoos and botanical gardens, as well as related food concessions.

Parking Driveway Width. "Parking driveway width" means the horizontal dimension, measured perpendicular to the direction of travel, of a driveway.

Parking Facility, Accessory Use. "Accessory Use Parking facility" means a parking lot or a parking garage offering parking to the public and except as other specified, incidental to a principal structure or use on the same lot.

Parking Facility, Principal Use. "Principal Use Parking facility" means a parking lot or a parking garage offering parking to the public and is the principal use of the premises.

Parking Facility, Public or Private. "Public or private parking facility" means parking lots or structures operated by the City or a private entity providing parking either for free or for a fee. Does not include towing, impound and storage facilities.

Parking Garage. "Parking garage" means a multi-level structure built either above or below grade providing off-street parking for motorized vehicles.

Parking Lot. "Parking lot" means a surface lot that provides off-street parking for motorized vehicles, other than an automobile holding facility.

Parking Space. "Parking space" means a permanently surfaced area in a parking facility for the parking of a motor vehicle.

Parking Space, Tandem. "Tandem parking space" means an arrangement of parking spaces such that one or more spaces must be driven across in order to access another space or spaces. A space that can only be accessed by driving across another space is called a dependent parking space. A space that can be accessed without driving across another space is called an independent parking space.

Path of Travel. "Path of travel" means a continuous, unobstructed pedestrian way.

Patient Family Home. "Patient family home" means a residential facility for the temporary residence of families of patients under medical care with common kitchen, dining and living spaces, owned, operated, managed or supervised by a non-profit organization. (Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)

Payday Loan/Alternative Financial Services. "Payday loan/alternative financial services" means a financial establishment other than a State or Federally chartered bank, credit union, mortgage lender or savings and loan association that offers check cashing services and loans for payment of a percentage fee. Specifically included are "payday loan" businesses that make loans upon assignments of wages received, businesses that charge a percentage fee for cashing a check or negotiable instrument, or businesses that function as deferred presentment services.

Pedestrian Shed. "Pedestrian shed" means an area centered on a major destination. Its size is measured by the average distance that may be traveled at an easy walking pace in a given amount of time from its center to its edge. Pedestrian sheds are useful for planning walkable areas.

Permanent Supportive Housing. "Permanent Supportive Housing" means housing where the occupants are capable of living independently, but where programs or services are provided on site to support them in obtaining and improving life skills and employment opportunities that promote independent living.

Allowed Permitted Use. " ~~Allowed Permitted~~ use" means uses that are permitted by right and are not subject to the conditions of approval, mandatory review periods, or expiration periods as required for use permits or minor use permits.

Permitted Use. ~~"Permitted use" means a use permitted in a zoning district and subject to the restrictions applicable to that zoning district. (Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)~~

Person. "Person" means any individual, firm, partnership, association, corporation, company or organization of any kind.

Personal Instructional Service. "Personal instruction service" means the provision of instructional services including: tutoring and exam preparation, language, photography, fine arts, crafts, dance or music studios, art studios, driving schools, vocation and trade schools (not including automotive repair), diet centers, beauty schools/reducing salons, martial arts, yoga and workout studios. This includes incidental retail sales.

Personal Service. "Personal service" means establishments that provide non-medical services to individuals as a primary use. Examples of these uses include, but are not limited to: barber and beauty shops; clothing rental; dry cleaning pick-up stores with limited equipment; home electronics and small appliance repair; laundromats (self-service laundries); locksmiths; massage (licensed, therapeutic, non-sexual); nail salons; pet grooming with no boarding; shoe repair shops; tailors; and tanning salons. These uses may also include accessory retail sales of products related to the services provided.

Planned Development. "Planned development" means a large, integrated development adhering to a comprehensive site plan and located on a single site.

Planting Strip. "Planting strip" means a landscaped or grassy area located between a street and a sidewalk.

~~**Plat of Subdivision.** "Plat of subdivision" means a map showing the division of any tract of land into two or more parcels, and prepared for the purpose of recording.~~

Podium. "Podium" means a continuous projecting base or pedestal under a building.

Podium Tops. "Podium tops" means a flat, elevated and open area above a podium that can be used as a common area.

Porch. "Porch" means a covered shelter projecting in front of the entrance of a building.

Portable Storage Container. "Portable storage container" means any container designed for the storage of personal property of a non-hazardous nature which is typically rented to owners or occupants of property for their temporary use and which is delivered and removed by truck.

Pre-Development Grade. "Pre-development grade" means the grade of a lot prior to any site improvements related to the proposed development.

Preexisting. "Preexisting" means in existence prior to the effective date of this zoning code or amendments thereto (as in nonconforming use).

Presumable Curb. "Presumable curb" means the point at which the paved area of a street with no curb ends.

Primary Structure. "Primary structure" means the main structure on a lot, containing a residential, commercial, office or industrial use.

Printing and Publishing. "Printing and publishing" means printing by letterpress, lithography, gravure, screen, off set, or electrostatic (xerographic) copying and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals and establishments manufacturing business forms and binding devices. "Quick printing" services are included in the definition of "Business Support Services."

Principal Structure. "Principal structure" means a building or other facility that is designed for or occupied by a principal use.

Principal Use. "Principal use" means a use that is the primary function of land or structures.

Private Vehicular Storage Lot. "Private vehicular storage lot" means a lot used for the purpose of storing vehicles that were illegally parked.

Production. "Production" means a category of uses that includes:

- 1) **Artisan.** Establishments primarily engaged in on-site production of goods by hand manufacturing, involving the use of hand tools and small-scale equipment.
- 2) **General.** Manufacturing of products, from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes: food, beverage and tobacco product manufacturing; textiles, apparel, leather and allied products, wood products, paper, chemicals, plastics, rubber, nonmetallic mineral products, fabricated metal products, and transportation equipment. This does not include any activity listed under Intensive High Impact Production.
- 3) **Intensive high impact.** Manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This group also includes smelting, animal slaughtering and oil refining.
- 4) **Limited.** Manufacturing of finished parts or products, primarily from previously prepared materials. This classification includes: printing and related support activities; machinery manufacturing, food manufacturing, computer and electronic product manufacturing; electrical equipment,

appliance, component manufacturing, furniture and related product manufacturing; and other uses as determined by the Director

Property. See "Lot".

Protective Covenant. "Protective covenant" means a restriction on the use of private property within a subdivision for the purpose of providing mutual protection against undesirable aspects of development.

Public Improvements. "Public improvements" means any of the following: roadway pavement, curbs, gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers and other appurtenant construction as related to the Subdivision Improvement Plan.

Public Maintenance Facility. "Public maintenance facility" means a governmentally owned facility providing maintenance and repair services for vehicles and equipment and areas for storage of equipment and supplies. This classification includes governmentally owned construction yards, equipment service centers and similar facilities.

Public Safety Facility. "Public safety facility" means a facility for public safety and emergency services, including police and fire protection and police and fire training facilities.

Public Use. "Public use" means a use owned or operated by a public agency.

Public Utility Distribution System. "Public utility distribution system" means a facility for the distribution of gas, electricity, water, steam, hot water, chilled water and landline communications.

Public Utility Maintenance Yard. "Public utility maintenance yard" means a building, other structure, or open area used by a public utility for the storage, maintenance or repair of materials and equipment or vehicle parking.

Public Utility Plant. "Public utility plant" means a building or other structure for water supply or wastewater treatment or the production of electricity, steam, hot water or chilled water for consumption by the general public.

Q

No Definitions for "Q".

R

Railroad, right-of-way. See "Transportation, railroad right-of-way".

Railroad, train yard. See "Transportation, railroad train yard".

Rear. "Rear" means opposite of front.

Rear Lot Line. See "Lot Line, Rear".

Rear Yard. "Rear yard" means the area of a lot extending across the full width of the lot and measured between the building and the rear lot line.

Recessed Entryway. "Recessed entryway" means an entrance to a building setback from the facade of the building.

Recreation, Active. "Active recreation" means recreational pursuits, usually performed with others and oft en requiring equipment, that require physical alteration to the area in which they are performed. Such areas are intensively used and include, but are not limited to, playgrounds, sport courts, baseball/soft ball and other field sports, and swimming pools.

Recreation, Passive. "Passive recreation" means recreational pursuits involving existing natural resources that can be carried out with little alteration or disruption to the area in which they are performed. This includes, but is not limited to, such activities as walking, hiking, bicycling, bird and animal watching, and picnicking.

Recreation and Entertainment. "Recreation and entertainment" means the provision of recreation or entertainment to paying participants or spectators. Recreation and entertainment uses may be either:

- 1) Outdoor or large-scale recreation and entertainment. This classification includes large, generally outdoor facilities, including: sports stadiums and arenas; amusement and theme parks; racetracks; driving ranges; swimming or wave pools;

entertainment complexes; movie theaters (4 or more screens); drive-in theaters; archery or shooting ranges; riding stables; campgrounds; recreational vehicle parks; etc.

- 2) Indoor or small-scale recreation and entertainment. This classification includes small, generally indoor facilities, although some facilities may be outdoor, including: fitness centers, gymnasiums, handball, racquetball or tennis club facilities, ice or roller skating rinks, movie theaters (three or fewer screens); bingo parlors, billiard parlors, bowling centers, poolrooms, miniature golf courses and amusement arcades.

Recreational Facility, Indoor. "Indoor recreational facility" means small, generally indoor facilities, although some facilities may be outdoor, including: fitness centers, gymnasiums, handball, racquetball or tennis club facilities, ice or roller skating rinks, movie theaters (three or fewer screens); bingo parlors, billiard parlors, bowling centers, poolrooms, miniature golf courses and amusement arcades.

Recreational Facility, Outdoor or Large scale.

"Outdoor or large scale recreational facility" means large, generally outdoor facilities, including: sports stadiums and arenas; amusement and theme parks; racetracks; driving ranges; swimming or wave pools; entertainment complexes; movie theaters (4 or more screens); drive-in theaters; archery or shooting ranges; riding stables; campgrounds; recreational vehicle parks; miniature golf; golf courses and country clubs, etc.

Recreational Vehicle. "Recreational vehicle" means a mobile vehicle, either self-propelled or towed, that is used for temporary periods of human habitation.

Recreational Vehicle Park. "Recreational vehicle park" means a site or tract of land with a minimum of five acres on which two or more recreational vehicles or tents are parked or erected and including any roadway, drainage sewer system, water supply or electric system used or intended for use as a part of the facilities of such recreational vehicle park and as regulated by the Board of Health of Cincinnati. Such facility may not be used for the sale and/or servicing of recreational vehicles.

Recycling Container. "Recycling container" means a bin or container for the storage of recyclable materials.

~~**Recycling Enclosure.** "Recycling enclosure" means a space allocated for collecting and loading recyclable materials, capable of accommodating containers for recycling materials. (Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)~~

Reentry Center. See "Halfway house."

Registered Professional Architect. "Registered Professional Architect" means a person registered to engage in the practice of architecture under the provisions of sections 4703.01 to 4703.19 of the Revised Code.

Registered Professional Engineer. "Registered Professional Engineer" means a person registered as a professional engineer under Chapter 4733 of the Revised Code.

Registered Professional Surveyor. "Registered Professional Surveyor" means a person registered as a professional surveyor under Chapter 4733 of the Revised Code.

~~**Regulatory Floodway.** "Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1.0 foot.~~

Religious Accessory Housing. "Religious accessory housing" means a dwelling unit that is accessory to a religious assembly, and that is attached to the building that houses the religious assembly or is on the same lot.

Religious Assembly. "Religious assembly" means an establishment for religious worship and other religious ceremonies, including religious education, rectories and parsonages, offices, social services, columbaria and community programs.

Research and Development. "Research and development" means an establishment primarily engaged in the research, development and controlled production of high technology electronic, industrial

or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

Residential. "Residential" means a premises used primarily for human habitation.

Residential Care Facility. "Residential care facility" means an establishment operated for the purpose of providing special care or rehabilitation to the occupants, including the following:

- 1) Assisted living. See "Assisted Living".
- 2) Developmental disability dwelling. See "Development Disability Dwelling".
- 3) Nursing home. See "Nursing Home".

Residential District. "Residential district" means a district denoted by the letters SF or RM.

Restaurant, Full Service. See "Eating and Drinking Establishment".

Restaurant, Limited. See "Eating and Drinking Establishment".

Retail General. "General Retail " means an establishment engaged in sales of goods, including, but not limited to: alcoholic beverage sales, furniture and home furnishings, electronics and appliances, clothing and shoes, jewelry, luggage and leather goods, sporting goods and hobbies, books, periodicals and music, tobacco sales, department stores, florists, office supplies and stationary, gifts and novelties, pets, hardware, pawn shops, video stores and auto parts. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification.

Right-Of-Way. "Right-of-way" means the entire strip of land lying between the property line of a street, alley, cross walkway or easement.

Right-Of-Way, Public. "Public right-of-way" is a right-of-way dedicated to use by the general public.

Riparian/Buffer Zone. ~~"Riparian/Buffer Zone" means that land that is traversed or bounded by a natural watercourse or adjoining tidal lands.~~ "Riparian/Buffer Zone" means the vegetated area along both sides of water bodies and wetlands that generally consist of

trees, shrubs and grasses. Riparian buffer zones act as buffers to protect surface waters from contamination and are habitats for a large variety of animals and birds.

Rivers and Harbors Act of 1899. "Rivers and Harbors Act of 1899" means the federal law codified at 33 U.S.C § 401 et seq.

Roadway. "Roadway" means the portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

Rooming House. "Rooming house" means a building containing three or more rooming units not offering nursing or dietary care, therapy or counseling for its occupants. (See also "Rooming Unit")

Rooming Unit. "Rooming unit" means a room available for rental occupancy for periods of seven days or longer but not equipped with a kitchen facility so as to constitute a dwelling unit.

Rowhouse Dwelling. "Rowhouse Dwelling" means a building containing two or more single-family rowhouses, each rowhouse being separated from the adjoining rowhouse by fire resistive walls without openings and each rowhouse having independent access to the exterior of the building in the ground story.

Rowhouse, Single-Family. "Single-family rowhouse" means a dwelling unit on its own lot that is part of a rowhouse building.

S

Satellite Dish Antenna. "Satellite dish antenna" means a parabolic or spherical antenna whose purpose is to receive and transmit radio communication signals to and from satellites.

School, Public or Private. "Public or private school" means a facility for educational purposes that offers a general course of study at primary, middle, high school levels and vocational and trade programs that are incidental to the operation of such schools.

Screening. "Screening" means a method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

Secondary Wings. "Secondary wings" means a structure physically attached to, and secondary and incidental to, the main body of a main building.

Section 401 Permit. "Section 401 permit" means a permit issued under Section 401 of the Clean Water Act.

Section 404 Permit. "Section 404 permit" means a permit issued under Section 404 of the Clean Water Act.

Semi-Public Use. "Semi-public use" means a use owned or operated by a non-profit agency, private institution or foundation. ~~(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)~~

Semi-Public Utility Building. "Semi-public utility building" means a building owned or operated by a non-profit organization, private institution or foundation, and used to provide utility services to its members or those persons it serves.

Setback. "Setback" means the mandatory clear distance between a lot line and a structure.

Setback Line. "Setback line" means the line that is the required minimum distance from any property line and that establishes the area within which the principal structure must be erected or placed (See also Figure in "Lot Line").

Sexually Oriented Business. "Sexually oriented business" means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel or adult entertainment out-call service in the form of semi-nude dancing or exhibition, adult motion picture theater, adult theater, semi-nude model studio or sexual establishment as further defined in Chapter 899 of the Municipal Code.

Shared Housing for Elderly. "Shared housing for elderly" means a residence for not more than ten adults, the majority of whom are 60 years of age or older, either cooperatively established by the residents or under the sponsorship of a non-profit organization; provided that the residents are living together as a family and are all capable of self-preservation without assistance in the event of an emergency.

Shared Parking. "Shared parking" means parking spaces assigned to two or more users, who are unlikely to need the spaces at the same time of day.

Shopping Center. "Shopping center" means a group of buildings and accessory space devoted to permitted uses under one ownership with separate establishments rented or leased, having common parking facilities for all establishments, with no lot lines drawn between establishments.

Side Lot Line. See "Lot Line, Side".

Side Yard. "Side yard" means the area of a lot extending from the front yard to the rear yard and measured between the building and the side lot line.

Sidewalk. "Sidewalk" means the portion of a street between the curb line, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians and all elevated public walkway systems and concourses in both public right-of-way and private easements, and all vertical means of access and egress including, but not limited to, stairways, escalators and elevators.

Sign. "Sign" means a structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. A list of sign types is set forth in ~~Subsection 1703-5-80 and~~ Sec. 1711-3.5 Signs.

Silo. "Silo" means an above ground structure used to store grain.

Single-Family Dwelling. See "Dwelling, Single Family."

Site. "Site" means a lot or group of lots that is proposed for development in accord with the provisions of this Code and is in a single ownership or under unified control. ~~(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)~~

Slope. "Slope" means the inclination of the land surface from the horizontal. Percentage of slope is the vertical distance divided by horizontal distance, and then multiplied by 100. Thus, a slope of 20% is a rise of 20 feet in 100 feet of horizontal distance.

Small Scale Specialized Incinerator. "Small scale specialized incinerator" means an enclosed device using controlled flame combustion to thermally break down waste generated on-site, and is accessory to hospitals, clinics, medical laboratories, and facilities for scientific research, development or testing.

Social Assistance, Welfare and Charitable Services.

"Social assistance, welfare and charitable services" means establishments that provide social assistance services directly to clients such as children, elderly persons, disabled persons, homeless persons, or veterans. Social assistance may include food, medical relief, counseling or training. Examples include adoption agencies, youth centers (except recreational only), child guidance organizations, youth self-help organizations, foster care placement services, community action services agencies, marriage counseling services (except by offices of mental health practitioners), crisis intervention centers, multipurpose social services centers, family social services agencies, self-help organizations (except for disabled persons, the elderly, persons diagnosed with intellectual and, developmental disabilities), family welfare services, suicide crisis centers, hotline centers, telephone counseling services, community food services (includes collection, preparation, and delivery of food, clothing and blankets for needy persons). These services do not include

residential or accommodation services, temporary shelters or community housing (classified separately under Transitional Housing).

Special Assistance Shelter. "Special assistance shelter" means a facility for the short-term housing for individuals who are homeless and who may require special services.

Special Flood Hazard Area (SFHA). "Special Flood Hazard Area" means the land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1-30, and A99. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal state or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

Start of Construction. "Start of construction" means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration

of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

Storage, Outdoor. "Outdoor storage" means the storage of materials outside of a structure other than fencing, either as an accessory or primary use.

Storage, Refuse. "Refuse storage" means containers or bins that are used to drop off or store recycled goods, cans and bottles, or clothing for recycling or reuse.

Storage, Personal Storage/Mini-Warehouse. "Personal storage/Mini-Warehouse Storage" means structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

Storage and Warehouse. "Storage and warehouse" means a building primarily used for the keeping or storage of goods and materials.

Storefront. "Storefront" means the portion of a building frontage comprised of the display window or entrance and its components including windows, doors, transoms and sill pane that accommodates retail users.

Stormwater. "Stormwater" means any surface flow, runoff, and drainage resulting from a precipitation event consisting entirely of water from any form of natural precipitation, including snow melt.

Story. "Story" means a habitable floor level within a building that is above grade.

Story, Half. "Half story" means a habitable space that rests primarily underneath the slope of the roof, usually having dormer windows.

Street. "Street" means a public or private right-of-way 21 feet or more in width whose primary function is to furnish the chief means or access to properties abutting it.

Street, Front. "~~Front Street~~ Street, Front" means the street located along the front lot line of a parcel.

Street, Important Neighborhood. "Important neighborhood street" means a street designed to serve as an important traffic-way for a neighborhood, or as

a feeder to a thoroughfare. The determination of such street classification in any specific instance shall rest with the City Planning Commission.

Street, Minor. "Minor street" means any street other than a freeway, expressway, thoroughfare, or important neighborhood street.

Street, Side. "Side street" means the street located along a lot line of a parcel that is not along the front or rear lot lines.

Street Side Lot Line. See "Lot Line, Street Side".

Streetcar. "Streetcar" means a car, other than a railroad train, for transporting persons or property, operated upon rails principally within a street or highway (O.R.C. §4511.01(R)).

Structure. "Structure" means anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground.

Studio, Art, Music, Dance. "Art, music, dance studio" means small-scale facilities, typically accommodating no more than two groups of students at a time, in no more than two instructional spaces. Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Sub-Minimum Lot. See "Lot, Minimum".

Subdivision. "Subdivision", as defined in Section 711.01 of the Ohio Revised Code, means:

- 1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of

access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or

- 2) The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the divisions or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public utilities.

Subdivision Improvement Plan. "Subdivision improvement plan" means a drawing showing a proposed subdivision of land together with the public improvements that are to be installed therein. Such drawing is not recordable.

Substantial Damage. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement. "Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures, which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include:

- 1) Any improvement to a structure that is considered "new construction";
- 2) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a

development permit by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

- 3) Any alteration of a "historic structure," provided that the alteration would not preclude the structure's continued designation as a "historic structure".

Substantially Limits. "Substantially limits" means the limitation is "significant" or "to a large degree" and the term "major life activity" means those activities that are of central importance to daily life, such as seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, and speaking. The foregoing list of major life activities is not exhaustive, and the Director has the discretion to consider other activities to be major life activities for purposes of granting reasonable accommodations.

Substitution. "Substitution" means the replacement of an existing use by a new use, or a change in the nature of an existing use. It does not include a change of ownership, tenancy or management where the previous line of business or other function is substantially unchanged.

T

Tandem Parking. "Tandem parking" means a parking space deep enough to allow two cars to park one behind the other.

Thoroughfare. "Thoroughfare" means a way for use by vehicular, pedestrian, and bicycle traffic that provides access to lots and open spaces, and incorporates vehicular lanes and public frontages.

Three-Family Dwelling. "See 'Dwelling, Three-Family.'"

Toe of Slope. ~~"Toe of slope" means the base or bottom of a slope at the point where the ground surface abruptly changes to a significantly flatter grade. On compound slopes where there may be more than one possible toe location, the controlling point shall be whichever toe location provides the greater hill area.~~

Top-of Slope. "Top-of slope" means the point where the ground surface abruptly changes to a significantly flatter grade.

Top-of Stream Bank. "Top-of Stream Bank" means the ordinary high water mark of a stream, also known as the bankfull depth of the stream channel. The top-of stream bank may be field located by a topographic break at the top of bank location (the point where the ground surface abruptly changes to a significantly flatter grade).

Towing and Other Road Ground Services. "Towing and other road ground services" means establishments primarily engaged in towing light or heavy motor vehicles, along with incidental services such as storage and emergency road repair services.

Transect. "Transect" means a cross-section of the environment showing a range of different habitats. The Rural-to-Urban Transect of the human environment is divided into multiple transect zones that describe the physical form and character of a place according to the intensity of its land use and urbanism.

Transect Zone. "Transect zone" means a designated area governed by the regulations set forth in Chapter 1703, Form Based Districts.

Transit Station. "Transit station" means a lot or structure used for the purpose of parking, loading and unloading freight and passengers from train or bus transportation. It may include parking facilities and other commercial amenities to service transit passengers.

Transit Stop. "Transit stop" means a location where public transportation vehicles stop to load and unload passengers. A transit stop may or may not include a shelter or a pullout.

Transitional Supportive Housing. "Transitional supportive housing" means housing where the occupants are not currently capable of living independently and where programs or services of therapy, counseling or training are integrated into the housing to assist persons in obtaining skills necessary to be able to live independently in permanent housing.

Transitional Housing. "Transitional housing" means housing designed to assist persons in obtaining skills necessary for independent living in permanent housing, including homes for adjustment and halfway houses. Transitional housing is housing in which:

- 1) An organization provides a program of therapy, counseling or training for the residential occupants;
- 2) The organization operating the program is licensed or authorized by a governmental authority having jurisdiction over operation; and
- 3) The program is for the purpose of assisting the residential occupants in one or more of the following types of care:
 - a) Protection from abuse and neglect;
 - b) Developing skills necessary to adjust to life;
 - c) Adjusting to living with the handicaps of physical disability;
 - d) Adjusting to living with the handicaps of emotional or mental disorder or mental retardation;
 - e) Recuperation from the effects of drugs or alcohol, even if under criminal justice supervision; or
 - f) Readjusting to society while housed under criminal justice supervision including, but not limited to, pre-release, work-release and probationary programs. (Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)

Transportation Facility. "Transportation facility" means a category of uses including:

- 1) **Airports.** Facilities for the takeoff and landing of airplanes and helicopters, including runways, aircraft storage buildings, public terminal buildings and parking, helicopter pads and support activities such as airport operations and air traffic control.
- 2) **Heliports.** Facilities intended solely for takeoff and landing of helicopters.
- 3) **Railroad, right-of-way.** Railroad land used for through tracks. Railroad, train yard uses are prohibited.

- 4) **Railroad, train yard.** Railroad areas used for classification yards, switch tracks, team tracks, storage tracks and freight yards.
- 5) **Transportation passenger terminal.** Facilities for passenger transportation operations, holding facilities and maintenance operations, which includes rail stations, bus terminals, urban and regional transit stations and scenic and sightseeing facilities, but does not include airports and heliports. ~~(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004; a- Ord. No. 0051-2008, § 1, eff. March 13, 2008)~~

Truck Terminal and Warehouse. "Truck terminal and warehouse" means a facility for the storage of commercial goods within an enclosed building for distribution by truck. This includes bulk mail handling facilities.

Two-Family Dwelling. "Two-family dwelling" means a single building that contains two dwelling units.

U

Unit. "Unit" means a discrete portion of a building.

Use. "Use" means the purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained. For the purposes of this Land Development Code, there shall be three types of uses:

- 1) **Accessory Use.** See "Accessory Use".
- 2) **Conditional Use.** See "Conditional Use".
- 3) **Principal Use.** See "Principal Use".

Use Permit. "Use Permit" means a permit issued by the Planning Commission for conditional uses ~~allowed~~ **permitted** within a transect zone.

Use Permit, Minor. See Sec. 1705-7.6. ~~"Minor Use Permit".~~

Utilities. "Utilities" means installations or facilities or means for furnishing to the public, electricity, gas, steam, communications, water, drainage, sewage disposal, or flood control, irrespective of whether such facilities or means are underground or above ground;

utilities may be owned and operated by any person, firm, corporation, municipal department or board, duly appointed by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments, or boards.

Utility Line. "Utility line" means a facility used for the transmission of one or more utility services.

V

Vacant Lot. See "Lot, Vacant".

Variance. "Variance" means a grant of relief from the standards of Chapter 1751, Administration, consistent with the variance provisions therein.

Vehicle and Equipment Sales and Rental. "Vehicle and equipment sales and rental" means a facility for the sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, motor homes and RV's, boats and similar equipment, including storage and incidental maintenance. ~~(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004)~~

Vehicle and Equipment Services. "Vehicle and equipment services" means a facility for:

- 1) **Vehicle and equipment sales and rental.** See "Vehicle and Equipment Services".
- 2) **Car wash.** See "Car Wash".
- 3) **Fuel sales.** See "Fuel Sales".
- 4) **Vehicle repair.** See "Vehicle Repair".
- 5) **Automobile holding facility.** See "Automobile Holding Facility".
- 6) **Vehicle repair, heavy.** See "Vehicle Repair, Heavy".

Vehicle Repair. "Vehicle repair" means an establishment engaged in repair of automobiles, trucks, motorcycles, motor homes or recreational vehicles or boats, including the sale, installation and servicing of related equipment and parts including quick-service oil, tire sales and installation, tune-up, brake and muffler shops. This classification includes auto repair shops, body and fender shops and upholstery shops, but

excludes vehicle dismantling or salvage and tire re-treading or recapping, towing or repair of heavy trucks or construction vehicles.

Vehicle Service Station. "Vehicle service station" means a building and/or lot or use having pumps and storage tanks where motor vehicle fuels or lubricating oil or grease or accessories for motor vehicles are dispensed, sold, or offered for sale at retail only; where deliveries are made directly into motor vehicles, including greasing and oiling on the premises and car washing; and where repair services is incidental to the use.

Vending Machine. "Vending machine" means a self-service container, structure, storage unit or other device for dispensing consumable food products and goods. This definition excludes newsracks of publications and printed material.

Veterinary Services. "Veterinary services" are licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, animal surgery, or testing services for licensed veterinary practitioners. Examples include animal hospitals, veterinary clinics, veterinarians' offices, and veterinary testing laboratories.

Violation. "Violation" means the failure of a structure or development to be fully compliant with the rules and regulations of this Land Development Code.

Visitability. "Visitability" means a very basic level of accessibility that enables persons with disabilities to visit friends, relatives, and neighbors in their homes by providing at least one accessible means of egress/ingress for each residential unit.

W

Walkable Neighborhood Plan (WNP). "Walkable Neighborhood Plan" means a strategy for creating and reinforcing walkable urban environments with a mix of housing, civic, retail and service choices within a compact, walkable, and transit-ready environment.

Walkway. "Walkway" means a private paved pedestrian way located on one or more lots.

Wall Plane. "Wall plane" means a vertical surface defined by the façade of buildings.

Warehousing and Storage. "Warehousing and storage" means a facility for the storage and distribution of personal property without sales to the public, including:

- 1) **Contractor's storage.** See "Contractor's Storage".
- 2) **Indoor storage.** See "Indoor Storage".
- 3) **Oil and gas storage.** See "Oil and Gas Storage".
- 4) **Outdoor storage.** See "Outdoor Storage".

Waste Management. "Waste management" means any of the following:

- 1) **Waste collection.** Facilities where waste material, other than hazardous or infectious waste, is received and temporarily stored in closed containers without processing or disposition, including but not limited to: recycling drop-off point, yard waste depot, charitable drive box and other similar uses limited in volume and means of storage and posing no nuisance by reason of odor, noise, runoff, underground seepage or unsightly conditions.
- 2) **Waste disposal.** Facilities where waste material, including hazardous or infectious waste, is incinerated, land filled or put to other final disposition.
- 3) **Waste transfer.** Facilities where waste material, other than hazardous or infectious waste, is received and processed for transportation to another place for recycling, re-use, incineration or final disposal, including but not limited to: biological treatment facility, composting yard, resource recovery facility, recycling center, buy-back center, tire shredding facility, tire recycling facility, refuse-derived fuel manufacturing facility, transfer station and other similar uses, limited by the volume and type of material processed, or the characteristics of the equipment or methods used to process the waste material.

Watercourse. "Watercourse" means the channel through which a flow of water occurs, either continuously or intermittently.

Watercraft and Riverfront Facility. "Watercraft and riverfront facility" includes any of the following:

- 1) **Barge terminal.** See "Barge Terminal".
- 2) **Boat and ship yards.** See "Boat and Ship Yards".
- 3) **Commercial pier and port.** See "Commercial Pier and Port".
- 4) **Marina.** See "Marina".
- 5) **Marine sales and service.** See "Marine Sales and Service"

Wetlands. "Wetlands" means those area that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in water-saturated soil conditions, including swamps, marshes, bogs, and similar areas.

Wholesale and Distribution. "Wholesale and distribution" means a facility for storage and wholesale distribution of merchandise and bulk goods and non-retail store sales, including electronic shopping, mail-order houses and other direct-selling establishments. This use classification excludes retail sale of goods at discount prices for individual consumption.

Width-to-Height Ratio. "Width-to-height ratio" means the ratio of the horizontal size of a space measured perpendicularly to the vertical height of a building.

Wireless Communication Antenna. "Wireless communication antenna" means an antenna designed to transmit or receive communications as authorized by the Federal Communication Commission, excluding amateur radio operator antennae and parabolic antennae.

Wireless Communication Facility. "Wireless communication facility" means Public, commercial and private electromagnetic and photoelectric transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Wireless communication facilities include antennas, commercial satellite dish antennas, and equipment buildings.

Wireless communication facilities do not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.

Wireless Communication Tower. "Wireless communication tower" means a structure that elevates the wireless communication antenna and may include accessory transmission and receiving equipment, including, but not limited to, self-supporting lattice, guyed or monopole towers.

~~**Work-Live Unit.** "Work live unit" means an integrated housing unit and working space in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity with a substantial commercial component that may accommodate employees and walk-in trade.~~

X

No definitions for "X".

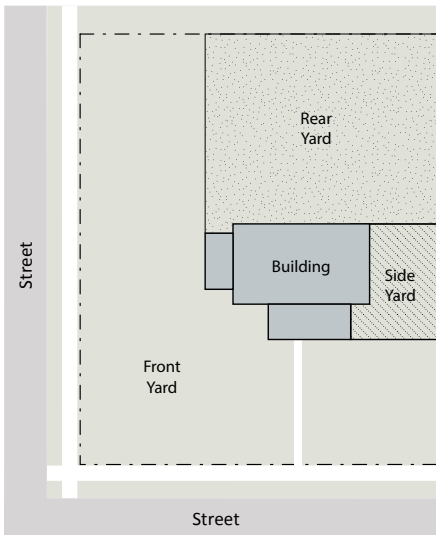
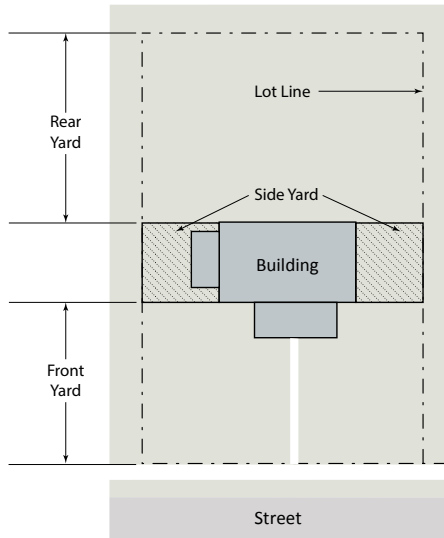
Y

Yard. "Yard" means the area between the buildable area on a lot and a lot line.

Yard, Front. See "Front Yard".

Yard, Rear. See "Rear Yard".

Yard, Side. See "Side Yard".



Z

No definitions for "Z".

